

PATENT  
Attorney Docket No. TGXX-1005US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
Richard A. Brauchman, et al	)	
	)	
Application No.: 09/858,366	)	Group Art Unit: 3732
	)	
Filed: May 16, 2001	)	Examiner: Anuradh Raman
	)	
For: Catheter Attachment And Catheter For	)	
Brachytherapy	)	

Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**TERMINAL DISCLAIMER**

Petitioner ("assignee") Theragenics Corporation, whose post office address is 5203 Bristol Industrial Way, Buford, GA 30518, represents, through its attorneys, that it is the assignee of the entire right, title, and interest in and to the above-identified application, U.S. Patent Application No. 09/858,366, filed on May 16, 2001, for Catheter Attachment And Catheter For Brachytherapy, in the name of Richard A. Brauchman, et al, by virtue of an assignment. Evidentiary documents have been reviewed and the assignee certifies, to the best of assignee's knowledge and belief, title is in the assignee seeking to file this Terminal Disclaimer.

Assignee, Theragenics Corporation hereby disclaims, under the provisions of 37 C.F.R. § 1.321, the terminal part of any patent granted on the above-identified application, U.S. Patent

U.S. Application No. 09/858,366

Application No. 09/858,816, which would extend beyond the earliest of the expiration date of the full statutory term, as presently shortened by any terminal disclaimer, of United States Patent No. 6,749,553. Assignee hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,749,553.

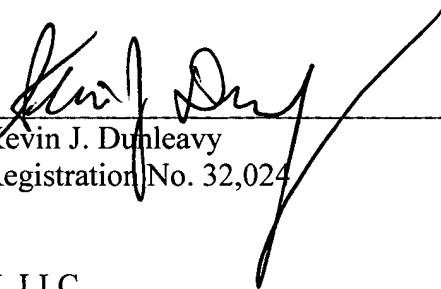
Assignee does not disclaim the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimer, of United States Patent No. 6,749,553 in the event such patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole under 35 U.S.C. §253 and 37 C.F.R. §1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term, as presently shortened by any terminal disclaimer, except for separation of legal title as stated above.

This agreement runs with any patent granted on the above-identified application and is to be binding upon the grantee its successors or assigns.

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In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee payment of \$55.00 is being filed with this disclaimer. If there is any other fee due in connection with the filing of this Terminal Disclaimer, please charge the fee to our Deposit Account No. 50-0462.

Respectfully submitted,

  
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